

**CHAPTER NO. 1**

**HOUSE BILL NO. 115**

**By Representatives McCord, Overbey**

**Substituted for: Senate Bill No. 18**

**By Senator Clabough**

AN ACT to amend Chapter 27 of the Private Acts of 1967; as amended by Chapter 267 of the Private Acts of 1978; and any other acts amendatory thereto, relative to elections and the election of mayor, council members and the board of education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Article III, Section 1 of Chapter 27 of the Private Acts of 1967, as amended by Chapter 267 of the Private Acts of 1978, and any other acts amendatory thereto, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 1. General city elections shall be those transitional elections held on the first Thursday in June in odd-numbered years for the transitional elections provided in Article IV, Section 1 and Article XII, Section 2 and those subsequent city elections held on the date of general state elections which fall on the first Tuesday following the first Monday in November of even-numbered years.

SECTION 2. Article III, Section 3 of Chapter 27 of the Private Acts of 1967, and any other acts amendatory thereto, is amended by deleting the following language:

All persons who are and who have been for six (6) months next preceding the election, bona fide residents of the City of Maryville, and who are qualified to vote for members of the State Legislature and have registered, shall be entitled to vote in said elections.

and by substituting instead the following language:

All persons who are bona fide residents of the City of Maryville, who are qualified to vote for members of the General Assembly, and who have registered to vote in city elections shall be entitled to vote in city elections.

SECTION 3. Article IV, Section 1 of Chapter 27 of the Private Acts of 1967, and any other acts amendatory thereto, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 1. The governing body of the city shall be a city council consisting of five (5) members, to be elected by the voters of the city at large to staggered four-year terms of office, except for the transitional terms provided herein. The two (2) members of the present city council elected to four-year terms of office in the general city election held on the first Thursday in June 1997, and whose terms expire in 2001, and the three (3) members of the present city council elected to four-year terms of office in the election held on the first Thursday in June 1999, and whose terms expire in 2003, shall complete their terms of office. On the date of the general city election held on the first Thursday in June 2001, two (2) city council members shall be elected for transitional terms which expire on the date of the first regular meeting of the council following the

date of the general state election held on the first Tuesday following the first Monday in November 2004. On the date of the general city election held on the first Thursday in June 2003, three (3) council members shall be elected for transitional terms which expire on the date of the first regular meeting of the council following the date of the general state election held on the first Tuesday following the first Monday in November 2006. Thereafter, the dates of general city elections shall be the dates of the general state elections held on the first Tuesday following the first Monday in November of even-numbered years. At each and every general city election on those dates, the city council members shall be elected to four-year terms.

SECTION 4. Article IV, Section 2 of Chapter 27 of the Private Acts of 1967, and any other acts amendatory thereto, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 2. The terms of the newly-elected council members begin on the date of the first regular meeting of the city council following their election. The city council shall at the first regular meeting of the council following each general city election elect one of their number Mayor for a term that shall expire on the date of the first regular meeting of the council occurring after the next general city election.

SECTION 5. Article IV, Section 7 of Chapter 27 of the Private Acts of 1967, and any other acts amendatory thereto, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 7. Any vacancy in the office of council member shall be filled by the appointment of a person meeting the qualifications of council member under this charter, by the remaining members of the council. The appointee shall hold office until the date of the first meeting of the council following the next general city election occurring after the appointment. The remainder of the vacating council member's term, if any, extending past the date of the first regular meeting of the council following the general city election shall be filled at that election; however, in the event the vacancy occurs within one hundred eighty (180) days of the next general election, the appointee shall hold office for the entirety of the vacating council member's term.

SECTION 6. Article IV, Section 8 of Chapter 27 of the Private Acts of 1967, and any other acts amendatory thereto, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 8. At the first regular meeting of the city council following each general city election, the council shall elect from its membership a vice-mayor, who shall act as Mayor during the absence or disability of the Mayor. If the office of Mayor becomes vacant the vice-mayor shall become the Mayor and shall hold office for the entirety of the unexpired term of the vacating Mayor. The city council shall then appoint from its membership another vice-mayor.

SECTION 7. Article XII, Section 1 of Chapter 27 of the Private Acts of 1967, and any other acts amendatory thereto, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 1. Except as otherwise provided in this act and in the general law, the Department of Education and the school system of the city shall be under the direction and supervision of an elected board of education consisting of

five (5) members, elected from the city at large for four-year staggered terms, at general city elections, as such elections are defined in Article III, Section 1.

SECTION 8. Article XII, Section 2 of Chapter 27 of the Private Acts of 1967, and any other acts amendatory thereto, is amended by deleting such section in its entirety and by substituting instead the following language:

Section 2. The three (3) members of the present board of education elected to four-year terms of office in the general city election held on the first Thursday in June 1999, and whose terms expire in 2003, and the two (2) members of the present board of education elected to four-year terms of office in the general city election held on the first Thursday in June 1997, and whose terms expire in 2001, shall complete their terms of office. On the date of the general city election held on the first Thursday in June 2001, two (2) members of the board of education shall be elected for transitional terms that expire on the date of the first regular meeting of the board following the general state election held on the first Tuesday following the first Monday in November 2004. On the date of the general city election held on the first Thursday in June 2003, three (3) members of the board of education shall be elected for terms that expire on the date of the first regular meeting of the board following the general state election held on the first Tuesday following the first Monday in November 2006. Thereafter, the dates of general city elections shall be the dates of the general state elections held on the first Tuesday following the first Monday in November of even-numbered years. At each and every such general city election, the board of education shall be elected to four-year terms of office.

SECTION 9. Article XII, Section 3 of Chapter 27 of the Private Acts of 1967, and any other acts amendatory thereto, is amended by adding the following sentence to the end of such section:

However, in the event the vacancy occurs within one hundred eighty (180) days of the next general city election, the appointee shall hold office for the entirety of the vacating member's term.

SECTION 10. Article XIII, Section 5 of Chapter 27 of the Private Acts of 1967, and any other acts amendatory thereto, is amended by deleting such section in its entirety.

SECTION 11. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Legislative Body of the City of Maryville. Its approval or nonapproval shall be proclaimed by the presiding officer of the Legislative Body and certified to the Secretary of State.


SECTION 12. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 11.

**PASSED: February 12, 2001**

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 20th Day of February 2001

  
DON SUNDQUIST, GOVERNOR